IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 3527 of 2005

Between:

Smt. Dronamraju Suryakantham,

W/o. Late D.S.S. Rajeshwar Rao,

Aged 53 years, C/o.Ch.Ramu,

YRC Colony, B-12, Yeleswaram,

East Godavari District.

..... PETITIONER

AND

1. Eastern Power Distribution co. of A.P.,

Visakhapatnam, rep. By its Chairman,

And Managing Director, near Saraswathi Park,

Daba Gardens, Visakhapatnam.

2. The Superintending Engineer, Operation,

Electrical, APEPDCL, Eastern Street,

Eluru, West Godavari District.

3. The Divisional Electrical Engineer,

Operation, APEPDCL, Bhimavaram,

West Godavari District.

4. Regional Provident Fund,

Commissioner-II, Municipal Complex,

Kambhala Cheruvu, Rajahmundry,

East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Mandamus, or any other appropriate writ, order or direction, declaring the action of the respondents in not paying Pension under Employees Provident Fund Scheme and other terminal benefits of late D.S.S.Rajeshwar Rao, to the petitioner as illegal and arbitrary and consequently direct the respondents to forthwith pay the pension payable under the Employees Provident Fund Scheme and all other terminal benefits forthwith to the petitioner and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.K.RAGHUVEER REDDY

Counsel for Respondent Nos.1 to 3: MR. SAMINENI KISHORE

Counsel for Respondent NO.4: MR.R.N.REDDY

The Court made the following :

ORDER:

The present writ petition is filed to declare the action of the respondents in not paying pension under Employees Provident Fund Scheme and other terminal benefits of late Sri.D.S.S.Rajeshwar Rao, to the petitioner as illegal and arbitrary.

Heard learned counsel for the petitioner and learned counsel appearing for the respondents.

Without entering into the merits of the case, it is for the 1st respondent to take appropriate decision as to whether the petitioner is entitled for the pension and all other terminal benefits of late D.S.S.Rajeshwar Rao, in accordance with the rules and regulations.

Hence, the writ petition is disposed of with a direction to the respondents to take appropriate decision, in accordance with law, within a period four months from the date of receipt of a copy of this order and by forwarding the papers to the 4th respondent.

The writ petition is accordingly disposed of. There shall be no order as to costs.

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25-02-2005

vs

To

1. The Chairman,

And Managing Director, Eastern Power Distribution co.

of A.P.,Visakhapatnam, near Saraswathi Park,

Daba Gardens, Visakhapatnam.

2. The Superintending Engineer, Operation,

Electrical, APEPDCL, Eastern Street,

Eluru, West Godavari District.

3. The Divisional Electrical Engineer,

Operation, APEPDCL, Bhimavaram,

West Godavari District.

4. Regional Provident Fund,

Commissioner-II, Municipal Complex,

Kambhala Cheruvu, Rajahmundry,

East Godavari District.

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THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 3527 of 2005

Dated: 25-02-2005

vs